

## **DETAILED ACTION**

### ***Response to Arguments***

1. Applicant's election of Species I, with traverse, in reply filed on 02/28/08 is acknowledged. Applicant's remarks regarding Species I and II that are both directed to claims 1-15 and 17-19 has been considered. However, since claims 1-15 and 17-19 are read on Species I and II, those claims are examined in view below submitted Office action.

### ***Claim Objections***

2. Claims 14 are objected to because of the following informalities: lines 4 of claim 14, have a typographical error "perceiving" a correction is required.

### ***Claim Rejections - 35 USC § 103***

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. Claims rejected under 35 U.S.C. 103(a) as being unpatentable over Yashiki (USP 6,894,798), in view of Terasaka 6,958,823).

With respect to claim 1, Yashiki '798' discloses a method of operating a network facsimile, (a network facsimile machine as shown in fig 1-3), the network facsimile performing both a function of transmitting and/or receiving an electronic mail to and/or from a mail server and a facsimile function, (the network facsimile function having both function of transmitting and/or receiving an electronic mail via LAN, see (abstract), the method comprising: storing the received facsimile data until an amount of received facsimile data is more than a predetermined amount if the facsimile data is received from an outside source when there is no printing paper on which the facsimile data is to be printed (storing a received facsimile data in storage memory 34 of fig 3, when printer unit 37 of fig 3 fails to run out of paper, col.5, lines 48-55); and determining whether the facsimile data is completely received, and proceeding to the storing operation if the facsimile data is not completely received, (determining the storing and the received facsimile data, col.5, lines 40-60);

Yashiki '798' does not teach or disclose converting the stored facsimile data into a form of an electronic mail and transmitting the converted data to the mail server, if the amount of the received facsimile data is more than the predetermined amount or if the facsimile data is completely received,

Terasaka '823' in the same area of internet facsimile apparatus, teaches converting the stored facsimile data into a form of an electronic mail and transmitting the converted data to the mail server, if the amount of the received facsimile data is more than the predetermined amount or if the facsimile data is completely received, (data is converted in electronic mail from facsimile data, see col.1, lines 27-35).

Therefore, it would have been obvious to a person with ordinary skill in the art at the time the invention was made to have modified imaging device of Yashiki '798' by the teaching of Terasaka '823', it should be clear to one skilled in the art that anyone of a wide variety of network facsimile machine can be similarly employed to accomplish this desired result without depending from the teaching of the present invention, for the purpose of controlling memory device including printing and transmitting performance of the network facsimile device.

***Claims Objected to having Allowable Subject Matter***

5. Claims 2-19 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

Claims 2-8 are allowed for the reason the prior art searched and of record neither anticipates nor suggests, the method, wherein the storing of storing the received facsimile data, determining whether there is the printing paper; determining whether the facsimile data is received if it is determined that there is no printing paper, and proceeding to the determining operation whether there is the printing paper if the facsimile data is not received; and storing the received facsimile data until the amount of the received facsimile data is more than the predetermined amount if the facsimile data is determined to be received.

Claims 9-14, 18-19, are allowed for the reason the prior art searched and of record neither anticipates nor suggests, wherein the operation of converting the stored

facsimile data into the form of the electronic mail comprises: converting the stored facsimile data into the form of the electronic mail if the amount of the received facsimile data is more than the predetermined amount or the facsimile data is completely received; and transmitting the facsimile data as the form of the electronic mail to the mail server, and proceeding to the operation of determining whether the facsimile data is completely received.

Claims 15-17, are allowed for the reason the prior art searched and of record neither anticipates nor suggests the method, further determining whether a new printing paper is supplied after it is determined that there is no the printing paper; determining whether the electronic mail transmitted to the mail server exists when it is determined that there is no printing paper, if the new printing paper is supplied after it is determined that there is no printing paper; and receiving and displaying the electronic mail from the mail server if the electronic mail transmitted to the mail server exists.

### ***Conclusion***

6. Any inquiry concerning this communication or earlier communications from the examiner should be directed to NEGUSSIE WORKU whose telephone number is (571)272-7472. The examiner can normally be reached on 9A-6PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Edward Coles can be reached on 571-272-7402. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Art Unit: 2625

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Negussie Worku/

Examiner, Art Unit 2625